REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-12 are presently active in this case. Claims 2 and 6-12 have been withdrawn from consideration as being directed to a non-elected species of the invention. The Applicant submits that amended Claim 1 remains generic to and/or links all of the species identified in the Election of Species dated December 14, 2004.

Claims 1 and 3 were rejected under 35 U.S.C. 102(b) as being anticipated by Brunner et al. (U.S. Patent No. 5,950,951). Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brunner et al. in view of Fuji (JP 5-337544). For the reasons discussed below, the Applicant respectfully requests the withdrawal of the art rejections.

In the Office Action, the Brunner et al. reference is indicated as anticipating independent Claim 1. The Applicant notes that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Brunner et al. reference clearly does not disclose each and every limitation of independent Claim 1 either expressly or inherently.

Claim 1 of the present application recites a rolled paper conveying apparatus comprising, among other features, a holding device having a slanted surface configured to support and guide movement of the first rolled paper from a first position on the holding device to a second position on the holding device, a conveyance device configured to move the first roller paper from the first position on the holding device to the second position on the

holding device. Claim 1 further recites a detector configured to detect whether the core has moved from the first position to the second position. The Applicant submits that the Brunner et al. reference does not disclose such features.

The Official Action cites the Brunner et al. reference for all of the limitations recited in Claim 1. The Brunner et al. reference describes and depicts a disk 2 attached with a fixed rotational orientation with respect to a shaft 1, where the shaft 1 is interconnected with a film spool so that the two are rotationally linked. A pin 3, which serves as a positioning member, is attached in an eccentric fashion with respect to the shaft 1, on disk 2. Additionally, a fork-shaped guide block 4 is provided. By means of a drive, not depicted in the drawings, the guide block 4 can be slid in the direction of arrow A along track 10. An electrical switch 6, e.g., a microswitch, includes a switching lever 7 that is activated by the switching surface 8 of guide block 4 when the shaft 1 is correctly orientated and received within the guide block, as shown in Figure 1b.

The Applicant notes that the shaft 1, along with its associated disk 2 and spool, does not move in a vertical or horizontal manner, but rather merely rotates about the axis of shaft 1. This fact is evident from a review of Figures 1a, 1b, and 1c, in which the vertical and horizontal position of the shaft 1 never changes position relative to the stationary electrical switch 6. In the invention described in the Brunner et al. reference, the guide block 4 is only configured to move in the direction of arrow A (and presumably in the reverse direction) along track 10. Thus, the shaft 1 can never contact the inclined surfaces of the guide block 4, as the structure described in the Brunner et al. reference simply does not allow for such contact. Accordingly, the Applicant submits that the Brunner et al. reference does not

disclose or even suggest a holding device, which the Official Action cites as the guide block 4, having *a slanted surface configured to support the first rolled paper*, as recited in Claim 1 of the present application. The slanted surface of the guide block described in the Brunner et al. reference can never come into contact with the shaft 1, and thus can never support the shaft 1, disk 2, or spool. The structure described in the Brunner et al. reference simply does not allow for such an interrelationship of parts, nor is there any suggestion to modify the structure to include such an interrelationship of parts.

Additionally, the Applicant submits that the Brunner et al. reference does not disclose a conveyance device configured to move a rolled paper from a first position on a holding device to a second position on the holding device. The Official Action notes that the Brunner et al. reference fails to expressly disclose a conveyance device. However, even the take-up device, indicated in the Official Action as being inherent, would not be configured to move a rolled paper from a first position on the guide block 4 to a second position on the guide block 4, since such a take-up device would presumably only be actuated when the electrical switch 6 is triggered as shown in Figure 1b, and in this configuration the shaft is in a fixed position far away from the slanted surface (note that the slanted surface in the present invention is defined as guiding the movement of the rolled paper from a first position to a second position at least during some portion of movement). Thus, it would be impossible for such a take-up device to move the shaft 1 to any position in which the slanted surface of the guide block 4 guides the movement of the shaft 1. In fact, the shaft 1 of the Brunner et al. reference is provided in a fixed position. Additionally, as noted above, the structure of the invention described in the Brunner et al. reference does not even allow the shaft 1 to be supported by or

guided by the slanted surface of the guide block 4 in any manner.

Furthermore, the Applicant submits that the Brunner et al. reference fails to disclose a detector configured to detect whether a core of a rolled paper has moved from a first position on a holding device to a second position on the holding device. As noted above, the shaft 1 of the Brunner et al. reference does not move from the first position as defined in Claim 1 of the present application to the second position as defined therein, and thus the detection of such movement is not possible.

Even assuming for the sake of argument that some of the features of the Brunner et al. reference could be capable of achieving the recited interrelationships of parts of the present invention, the Brunner invention would need to be completely disassembled and all of the interrelationships described in the Brunner et al. reference destroyed in order to construct such interrelationships. The Brunner et al. reference does not teach such interrelationships, nor does the Brunner et al. reference suggest such interrelationships. Thus, such a reconstruction would necessarily require the use of hindsight, which is completely unwarranted and improper.

As the Brunner et al. reference does not disclose, either expressly or inherently, all of the limitations recited in Claim 1 of the present application, the Applicant respectfully requests the withdrawal of the anticipation rejection of Claim 1 based on the Brunner et al. reference.

Claims 3-5 are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of

the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of Claim 1.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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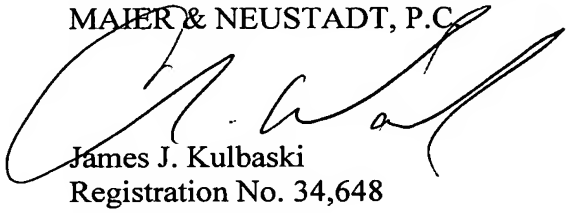

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